

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NAJIB SHOUCAIR,

Case No. 07-12964

Plaintiff,

Anna Diggs Taylor  
United States District Judge

vs.

MILLICENT WARREN,  
RICHARD MILLER, and  
KIYAWA WILLIAMS,

Michael Hluchaniuk  
United States Magistrate Judge

Defendants.

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**ORDER STRIKING PLAINTIFF'S MOTION  
FOR PRETRIAL SETTLEMENT (Dkt. 53)**

Plaintiff, Najib Shoucair, a prisoner in the custody of the State of Michigan, filed his initial complaint on July 17, 2007. (Dkt. 1). In that complaint, plaintiff sought damages against three employees of the Michigan Department of Corrections (MDOC) based on allegations that he was denied certain rights under the United States Constitution. *Id.*

On April 29, 2009, plaintiff filed a paper with the Court entitled “motion for pretrial settlement.” (Dkt. 53). Plaintiff’s “motion” appears to be an attempt to communicate a settlement demand to defendants. However, nothing in the Federal Rules of Civil Procedure authorizes plaintiff to bring such a demand to the

attention of defendants or the Court through a motion. Rather, a settlement offer or demand should be communicated via letter to defendants's counsel and should not be filed with the Court. Thus, the Court **STRIKES** plaintiff's "motion for pretrial settlement."

**IT IS SO ORDERED.**

The parties to this action may object to and seek review of this Order, but are required to file any objections within 10 days of service as provided in 28 U.S.C. § 636(b)(1) and Local Rule 72.1(d)(2). A party may not assign as error any defect in this Order to which timely objection was not made. Fed.R.Civ.P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. Pursuant to Local Rule 72.1(d)(2), objections must be served on this Magistrate Judge.

Date: May 4, 2009

s/Michael Hluchaniuk

Michael Hluchaniuk

United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I certify that on May 4, 2009, I electronically filed the foregoing pleading with the Clerk of the Court using the ECF system, which will send notification of such filing to the following: Clifton B. Schneider, and I certify that I have mailed by United States Postal Service the foregoing pleading to the plaintiff, a non-ECF participant, at the following addresses: Najib Shoucair, # 252899, Macomb Correctional Facility, 34625 26 Mile Rd., New Haven, MI 48048

s/James P. Peltier  
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